


ORDERED.

Dated: November 27, 2017


Karen S. Jennemann
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION
www.flmb.uscourts.gov

In re

CATHERINE ROWLEY ZELNER,

Debtor.

Case Number 6:15-bk-10305-KSJ
Chapter 7

ORDER GRANTING MOTION TO SELL
PROPERTY OF THE ESTATE AND APPROVING SALE

THIS CASE came on for consideration in connection with the Motion to Sell Property of the Estate (the “Motion”; Doc. No. 101) filed by Robert E. Thomas, chapter 7 trustee (the “Trustee”). The Court considered the record and finds:

1. The Trustee filed the Motion on October 20, 2017.
2. A separate Certificate of Service (Doc. No. 102) was filed on October 20, 2017 certifying that BK Attorney Services, LLC served copies of the Motion to all persons on a current mailing matrix by either electronic transmission or by first-class United States Mail, postage prepaid, on October 20, 2017.
3. Pursuant to Local Rule 2002-4, a Notice of Opportunity to Object and for Hearing was included on Page 1 in the Motion which provided interested parties with twenty - one (21)

days plus an additional three (3) days for service (the “Notice Period”) to file objections to the Motion with the United States Bankruptcy Court.

4. The Notice Period expired and no objections to the Motion or the proposed sale as set forth in the Motion were filed in this case.

Based on the foregoing, it is

ORDERED as follows:

1. The Motion is GRANTED.
2. The sale of non-exempt residential real property located in Brevard County, Florida for a total sum of \$236,000.00 US described below is APPROVED.

Lot 7, Block 10, Avon by the Sea, according to the plat thereof, as recorded in Plat Book 3, Page 7, of the public records of Brevard County, Florida.

Property Identification Number: 24-37-23-CG-10-7

a/k/a 417 Adams Avenue, Cape Canaveral, Florida 32920-0000

the “Property”

3. The Trustee is authorized to convey title of the Property to Tadgh Spradlin (the “Purchaser”), his assignees or designees, 1543 Quinn Drive, Rockledge, Florida 32955.

4. The Trustee is authorized to pay SunTrust Mortgage (“SunTrust”) a total sum of \$204,000.00 in satisfaction of its mortgage and related Final Judgment against the Property as set forth in the Motion.

5. The Trustee is authorized to satisfy the real estate taxes owed against the Property totaling approximately \$3,911.33 at the closing of the sale.

6. Payment of the estimated Closing Costs at the closing of the sale are authorized as follows: (a) Settlement Closing Fee - \$762.17; (b) Abstract – Title Search - \$55.00; (c) Title

Insurance - \$1,255.00; (d) State Tax/Documentary Stamp Taxes - \$1,652.00; and (e) E-Recording fee - \$4.50.

7. The Application for Compensation – Real Estate Agent (Doc. No. 100) filed by William Paul Henderson (“Henderson”) of Keller Williams Winter Park (“KWWP”) is APPROVED. Payment of the real estate commission totaling \$14,160.00 to KWWP and BK Global Services Real Estate Services is authorized and shall be paid at the closing of the sale as set forth in the Motion.

8. The Purchaser is responsible for payment of any additional fees or costs associated with the transfer of the Property not addressed in the Motion or as set forth in the “As Is” Residential Contract for Sale and Purchase relating to the sale of the Property.

9. The sale of the Property is “as is, where is” with no warranties of any kind, “express, implied or otherwise”.

10. The Trustee is authorized to sign any documents within his purview and authority as chapter 7 trustee in this case necessary to close the sale of the Property.

11. The fourteen (14) day stay period of F.R.B.P. 6004(g) is waived for the reasons set forth in paragraph number ten (10) on page 6 of the Motion.

12. This Court retains jurisdiction to hear any dispute or claim between the parties arising from or relating to the sale of the Property including but not limited to the enforcement of the terms of the sale as set forth in the Motion.

13. The request to limit service of this order is GRANTED. Service of this Order is

limited to the Trustee, Henderson, the Purchaser, SunTrust, the Debtor, the attorney for the Debtor, any other parties to the proposed transaction and the Office of the United States Trustee.

Copies furnished:

Attorney, John Henry Meininger, III, is directed to serve a copy of this order on interested parties and file a proof of service within three (3) days of entry of the order.